

(iii) A federal government agency; and

(3) The licensee has not been granted any of the modifications to its GMRS system license specified in §95.71(e).

(d) A GMRS system licensed to a non-individual on or after July 31, 1987, may not be renewed.

(e) If a GMRS system license is allowed to expire, the former licensee may file an application to reinstate the expired license within six months after the expiration date. The application to reinstate must be accompanied by a renewal application. An expired GMRS system license for which a timely renewal application has not been filed is not valid. No station of such a GMRS system may transmit until the licensee has received a new GMRS system license based on the late-filed renewal application.

[53 FR 47716, Nov. 25, 1988, as amended at 55 FR 51909, Dec. 18, 1990]

MANAGING A GMRS SYSTEM

§95.101 What the license authorizes.

(a) A license authorizes the licensee to manage the GMRS system only as:

- (1) The Rules require;
- (2) The license specifies;
- (3) Proposed by the entity in the license application; and
- (4) Shown on the functional system diagram (where applicable).

(b) The license does not authorize operation as a common carrier or communication of messages for pay.

(c) If the licensee is a corporation and the license so indicates, it may use its GMRS system to furnish non-profit radio communication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary. Such use is not subject to the cooperative use provisions of §95.33.

§95.103 Licensee duties.

(a) The licensee is responsible for the proper operation of the GMRS system at all times.

(b) The licensee must have access to the station equipment and be able to disable it. A licensee using multiple licensed transmitting equipment may satisfy this requirement by entering an arrangement with other licensees using the same equipment to select one of

their number to have primary access responsibility.

(c) When the information about the licensee stated on the license changes, the licensee must take the following step(s):

(1) The licensee must notify the FCC in writing in the event of a name or mailing address change (see §95.117(b)). The notice must show the name and mailing address as they appear on the license, the station call sign(s), and the new name or new mailing address. A copy of the notice must be kept as part of the GMRS system records (see §95.113). (FCC Forms 405-A or 574-R may be used for this purpose.)

(2) If the status of a non-individual GMRS system licensee changes (for example, when a corporation is dissolved and a new corporation stands in its place, or a partnership becomes a corporation), the licensee must send the license to the FCC for cancellation (see §95.117(b)).

The former licensee may not operate until the FCC has approved a license for the system in the name of the new entity.

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47717, Nov. 25, 1988]

§95.105 License term.

A license for a GMRS system is usually issued for a 5-year term. (FCC prints the expiration date on the license.)

§95.107 Keeping the license.

(a) The licensee must keep the license document until:

- (1) The license expires; or
- (2) The license is terminated by the FCC; or
- (3) The licensee obtains a different license for the GMRS system.

(b) The license must be kept as part of the GMRS system records (see §95.113).

(c) The license may be photocopied for any lawful purpose.

(d) If the license is lost, the licensee must request a duplicate document from the FCC. The request for a duplicate license, together with the filing fee, should be sent to the address specified in the Wireless Telecommunications Bureau Fee Filing Guide.

(e) If the license is no longer desired, it must be sent to the FCC (see § 95.117(b)(6)) with a written request that it be cancelled. (Forms 405-A or 574-R may be used for this purpose.)

[48 FR 35237, Aug. 3, 1983, as amended at 60 FR 50123, Sept. 28, 1995]

§ 95.109 License not transferable.

(a) The licensee must not transfer, assign, sell or give the license for a GMRS system to any other entity except in accordance with the provisions of § 95.111.

(b) If the licensee sells or gives away the GMRS system equipment, the new owner must obtain a new license before using it (see § 95.71), unless the new owner intends to use the equipment with an already licensed GMRS system.

§ 95.111 Transfer of control of a corporation.

If the licensee of a GMRS system is a corporation, and there is a change in the control of the corporation, the licensee must request consent for the change of control from the FCC by filling out Form 703 and sending it, together with the filing fee, to the address specified in the Wireless Telecommunications Bureau Fee Filing Guide. The FCC document granting such consent must be kept as part of the GMRS system records (see § 95.113).

[56 FR 51909, Dec. 18, 1990, as amended at 60 FR 50123, Sept. 28, 1995]

§ 95.113 System records.

(a) The licensee must keep records for the GMRS system for the license term (see § 95.105), except that the licensee need not keep authorizations which have expired.

(b) GMRS *system records* include the following documents (where applicable):

- (1) The license (see § 95.107);
- (2) [Reserved]
- (3) Copies of letters from the licensee to the FCC concerning name or mailing address changes (see § 95.103);
- (4) Copies of answers to discrepancy notices;
- (5) An STA or waiver of these rules;

(6) A copy of any renewal application submitted to the FCC and not yet acted upon (see § 95.89(b));

(7) A copy of the measurements and calculations (see appendix A) made during a control station power test (see § 95.47);

(8) A copy of a functional system diagram (see § 95.77);

(9) A copy of the agreement under which any station in the GMRS system is cooperatively shared (see § 95.33);

(10) A copy of the FCC consent to a licensee corporation's change in its corporate control (see § 95.111); and

(11) A temporary permit.

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47717, Nov. 25, 1988]

§ 95.115 Station inspection.

If an authorized FCC representative requests to inspect any station in a GMRS system, the licensee or station operator must make the station available. If an authorized FCC representative requests to inspect the GMRS system records (see § 95.113), the licensee must make them available.

§ 95.117 Where to contact the FCC.

(a) Write to:

The nearest FCC Field Office

(1) For application forms (see §§ 95.73 and 95.87);

(2) For instruction forms (see § 95.73);

(3) To complain about interference; or

(4) To find out if the FCC has type-accepted a certain transmitter for use in the GMRS (see § 95.129).

(b) Write to: Federal Communications Commission, Attention: GMRS, 1270 Fairfield Road, Gettysburg, PA 17325-7245.

(1) To ask a question about an application or about these Rules;

(2)-(3) [Reserved]

(4) To notify the FCC of a new name or mailing address (see § 95.103);

(5) [Reserved]

(6) To return a license to the FCC for cancellation (see §§ 95.103 and 95.107).

(7) [Reserved]

(c) [Reserved]

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47717, Nov. 25, 1988; 55 FR 51909, Dec. 18, 1990]